

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ASHLEY RENEE FUNK,

Plaintiff,

v.

Case Number 10-14865  
Honorable Thomas L. Ludington

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION  
AND DISMISSING THE CASE WITH PREJUDICE FOR WANT OF PROSECUTION**

Magistrate Judge Charles E. Binder issued a report and recommendation [Dkt. #13] on June 1, 2011, recommending that the Court dismiss the instant case with prejudice for want of prosecution. Any party may serve and file written objections “[w]ithin fourteen days after being served with a copy” of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a “de novo determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985).

Accordingly, it is **ORDERED** that the Judge Binder’s report and recommendation [Dkt. #13] is **ADOPTED**.

It is further **ORDERED** that the case is **DISMISSED WITH PREJUDICE FOR WANT OF PROSECUTION**.

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

Dated: June 22, 2011

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and upon Ashley Renee Funk, at 7786 Millwood Drive, Westland, MI 48185 by first class U.S. mail on June 22, 2011.

s/Tracy A. Jacobs  
TRACY A. JACOBS